

Student Right-to-Know Act  
Paperwork Reduction Act Submission  
Supporting Statement

1. The purpose of this submission is to revise the existing approval for certain Student Right-to-Know Act (SRK) recordkeeping and reporting requirements to implement changes made to the Higher Education Act of 1965, as amended (HEA) by the Higher Education Amendments of 1998 (1998 Amendments), to improve the efficiency of the information collection, and to reduce an institution's compliance burden. The relevant regulations are 34 CFR 668.41, 668.46, and 668.49 (in the attached Notice of Proposed Rulemaking (NPRM), the Secretary proposes to renumber §§668.46 and 668.49 as §§668.45 and 668.48, respectively).

The SRK requires an institution that participates in a Title IV, HEA federal student financial assistance program to disclose the completion or graduation rate of its students. The SRK requires a participating institution that awards athletically related student aid to disclose also the completion or graduation rate of its students who receive athletically related aid.

The 1998 Amendments amended the SRK, by requiring an institution that participates in a Title IV, HEA program to provide each enrolled student with a list of institutional and financial assistance information to which the student is entitled upon request. This lessened the burden on institutions, as prior to the 1998 Amendments the HEA required an institution to provide the information to each enrolled student, regardless of whether the student requested it.

### **Changes to Regulations**

34 CFR 668.41(a)(3) requires a covered institution to provide to enrolled students (and to prospective students upon request) its completion or graduation rate and transfer-out rate, calculated in accordance with §668.46. Proposed §668.41(c) would require an institution to provide each enrolled student with a list briefly describing the institutional and financial assistance information to which the student is entitled upon request, including the institution's completion and graduation rate, and if applicable, transfer-out rate (see discussion of proposed §668.45, below). As indicated above, this would lessen an institution's compliance burden. Proposed §668.41(d)(3) would require an institution to provide the required rates upon request to enrolled and prospective students. However, proposed §668.41(b) would allow an institution to provide the required rates through the Internet, if the institution provides proper notice to enrolled and prospective students. This also would lessen an institution's compliance burden, as well as make the information more accessible.

34 CFR 668.41(b) requires a covered institution to provide information concerning the completion or graduation rate of students and student-athletes, as described by §668.49 to prospective student-athletes, and their parents, coaches, and guidance counselors at the time the institution offers the student athlete athletically related student aid, and to submit that information to the Department. Proposed §668.41(f) would continue this requirement with reference to proposed §668.48.

34 CFR 668.46 describes how an institution must calculate its completion or graduation rate, and if applicable, transfer-out rate, which it must make available pursuant to §668.41(a)(3). Proposed §668.45 would describe how an institution must calculate those rates, which it would be required to provide pursuant to proposed §668.41(c) and (d)(3). Proposed §668.45 would provide also that only if an institution's mission included providing to its students substantial preparation to transfer-out, would the institution be required to provide a transfer-out rate. This would fulfill Congress' intent and lessen many institutions' compliance burden.

34 CFR 668.49 describes the information that a covered institution must make available pursuant to §668.41(b). Proposed §668.48 would continue this requirement with reference to §668.41(f).

2. The information is used by prospective students, and prospective student-athletes, their parents, coaches, and counselors to help the students choose a school.
3. The Department encourages institutions to use appropriate information technologies to reduce their burden, wherever feasible and cost effective. The Department provides free software for institutions to use to submit their completion or graduation rate, and if applicable, transfer-out rate. One-third of institutions currently submit their rates electronically. The Department will require institutions to submit their rates electronically by 2001.
4. There is no overlap between these and other regulatory requirements. Per statute and regulations, the Department grants a waiver to institutions that provide substantially comparable student-athlete graduation rate information to athletic conferences or associations that distribute that information to all secondary schools and the Department.
5. These requirements do not impact small businesses or entities.
6. Per statute, the information must be collected annually.
7. These information collection requirements require no special circumstances.
8. During the negotiated rulemaking process for the attached NPRM, the Department

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consulted with institutions and other organizations interested in these requirements to determine whether and how the regulations should be changed to effect the Higher Education Amendments of 1998 changes and the most efficient and least burdensome collection of data.

The Department will solicit comments on the NPRM pursuant to the Paperwork Reduction Act of 1995.

9. There are no payments or gifts to respondents.
10. No assurance is necessary, because the requirements do not cover any confidential information.
11. These requirements contain no questions of a sensitive nature.
- 12.

**Current Regulations**

<b>Regulation</b>	<b>No. of respondents</b>	<b>Burden hours</b>	<b>Cost (\$12/hr.)</b>
668.41(a)	8,000	4000 (8,000 x .5)	\$ 48,000
668.41(b)	1,800	900 (1,800 x .5)	10,800
668.46	8,000	192,000 (8,000 x 24)	2,304,000
668.49	1,800	43,200 (1,800 x 24)	518,400
<b>TOTAL</b>		<b>240,100</b>	<b>2,881,200</b>

**Proposed Regulations**

<b>Regulation</b>	<b>No. of respondents</b>	<b>Burden hours</b>	<b>Cost (\$12/hr.)</b>
668.41(c)	8,500	17,000 (8,500 x 2)	\$ 204,000
668.41(d)(3)	8,500	4,250 (8,000 x .5)	51,000
668.41(f)	1,800	900 (1,800 x .5)	10,800
668.45	8,500	170,000 (8,000 x 20)	2,040,000
668.48	1,800	36,000 (1,800 x 20)	432,400
<b>TOTAL</b>		<b>228,150</b>	<b>2,737,800</b>

13. There are no costs associated with responding to these requirements other than those detailed in response to Question No. 12.

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14. The HEA requires the Department to publish a report of the information submitted by institutions concerning completion and graduation rates of student-athletes. The cost of publishing this report is as follows:

**Receipt of information from institutions**

Number of reports	1,800
Data entry	300 hours
Cost (9.51/hr)	<b>\$2,853</b>

**Departmental report**

Preparation time (total hours)	16
Preparation cost (\$19.51/hr)	<b>\$312</b>

<b>Total cost</b>	<b>\$3,165</b>
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15. The change in burden hours is the result of changes to the HEA and efforts to make the information collection more efficient and less burdensome for institutions.
16. Per statute, the Department publishes this information for informational purposes. The Department does not use analytical techniques.
17. The Department is not seeking to not display the expiration date for OMB approval.
18. There are no exceptions to the certification statement.